

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-139396-001 DT

08/10/2012

HONORABLE JEANNE GARCIA

CLERK OF THE COURT

C. Harrington

Deputy

STATE OF ARIZONA

STEVEN M BONAGUIDI

v.

JASON FROIO (001)

DOB: 05/19/1981

DWANE M CATES

APO-SENTENCINGS-CCC

APPEALS-CCC

D & C MATERIALS-CSC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

8:40 a.m.

State's Attorney: Stephanie Lowe

Defendant's Attorney: Dwane Cates

Defendant: Present

Court Reporter: Vanessa Gartner

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1: (Amended) Disorderly Conduct With a Dangerous Instrument
Class 6 Undesignated Felony

A.R.S. § 13-2904(A)(6)(B), 2901, 105(12), 701, 702, 610, 801

Date of Offense: 07/31/2011

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Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 2 Years

To begin 08/10/2012.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 9 - May apply for Interstate Compact supervision in the state of California and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.

Condition 15: Restitution, Fines and Fees:

RESTITUTION: Count 1 - \$120,000.00 payable \$500.00 per month, beginning 09/01/2012, to the following persons:

Scott Scafide (Individual) \$120,000.00

Restitution ledger provided; priority of payment as stated in the restitution ledger.

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning 09/01/2012.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on 09/01/2012.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 09/01/2012.

INTERSTATE COMPACT APPLICATION FEE: Count 1 - \$300.00, payable in full at the time of submission of the application.

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All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 22: Other - I will not return to the scene of the crime. I will attend anger management counseling.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED directing the Clerk of Court to seal Defendant's Sentencing Memorandum filed on August 9, 2012, not to be opened without further order of the Court.

8:58 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JEANNE GARCIA
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)